

#2/A Jg  
5/6/01  
Express Mail No.: EL 501 637 398 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Friend et al.

Application No.: To be assigned; Continuation of  
Serial No. 09/334,328, filed  
June 16, 1999

Group Art Unit: To be assigned

Filed: On even date herewith

Examiner: To be assigned

For: METHODS OF MONITORING DISEASE  
STATES AND THERAPIES USING  
GENE EXPRESSION PROFILES

Attorney Docket No.: 9301-129

PRELIMINARY AMENDMENT UNDER 37 C.F.R. §1.121

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.121, please enter the following amendments and remarks in connection with the above-identified application.

IN THE CLAIMS:

Please amend the claims as follows:

Add new claims as follows:

51, 57. (New) A method for diagnosing a subject having a disease, said method comprising

(1) determining a level of said disease state in said subject by a method comprising determining, for said disease state, an interpolated response profile, extracted from interpolated response curves correlated to level of said disease state, for which similarity is greatest between a diagnostic profile and said determined interpolated response profile, said diagnostic profile comprising measured amounts of a first plurality of cellular constituents in one or more cells of said subject, and wherein said interpolated response curves are the products of a method comprising